

Exhibit 6

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UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

.....X
Brian Donnelly aka KAWS and KAWS INC.

Plaintiff,

- v. -

JONATHAN ANAND, et. al.

Defendants.
.....X

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: 1:21-cv-09562-PKC
:
:

: AFFIDAVIT OF JONATHAN
ANAND
:
:

I, Jonathan M. Anand, named defendant both individually and doing business as Homeless Penthouse, Penthouse Theory, Hideout Inc. and Incognito, being duly sworn and depose as under.

1. I am filing this affidavit pursuant to Order dated March 22, 2022, passed by the Honorable Court on my letter motion to extend the time to file an answer or any pre-answer motion to the complaint, as my letter motion was not granted by this Honorable Court for not demonstrating that default was not willful and meritorious defense
2. I state that I am a Citizen of United States and engaged in Internet based Business (E-Commerce) based in Country of China and in ordinary course of Business I reside in City of Shenzhen, China, and Hong Kong. I have given U.S. address for the sake of return from customers.

3. I further state that some of the websites were closed as business was not good, like, Hideout and Young Neon.
4. I further state that due to current Pandemic (Covid-19) like all other businesses my business suffered extreme economic downturn and fear of ongoing Covid in China I was compelled to return to my parent's home in State of Virginia on or about December 2019.
5. That on or about March 15, 2022, I received the Summons and Complaint, which were left at my aunt's residence at 853 Lancaster Lane, Newport News, VA 23602. She saw my name and called me to inform that some court papers are left at the door.
6. I further state that I reside at 5281 McMenamin, Hampton VA 23666 from August 2021 to present.
7. My attorney has provided me two affidavits of service, filed by plaintiff. The first affidavit (Doc. # 36) states that I was served on January 28, 2022, at 11.41 a.m. at 1410 Broadway, New York, NY 10018. I know it's a Commercial Building, but I have never resided in that address. However, my father used to share an office there.

8. The second affidavit (Doc. # 37) states that I was served on February 1, 2022, at 10.31 a.m. at 55 Meadow Street, Brooklyn, NY 11206. I know this building as I worked in that address from March 2017 to February 2019 .
9. The plaintiff in complaint in paragraph 3 at page 2, acknowledges my residing in Virginia besides stating New York and New Jersey.
10. Since I received Summons & Complaint on March 15, 2022, thereafter I immediately contacted my attorney Sanjay Chaubey, Esq. in New York to file Notice of Appearance and Letter motion to extend time to file answer. Soon, I received Summons & Complaint, I have not waisted any time and sincerely took all steps to appear and file answer.
11. I further state that my meritorious defense is that plaintiff in his complaint has failed to demonstrate any wrongdoing by me. Plaintiff states that I have conducted and are conducting the counterfeiting and infringing activity within this judicial district and elsewhere throughout the United States. (see para 34 on page 9 onwards of the complaint. In this regard it is respectfully submitted that all the alleged goods are routinely available on internet e-commerce website like *Alibaba* and *eBay* to name some. I as a retail reseller ordered these products from whole sellers and sold on my website.


12. I do not believe I have violated any laws, infringed and intellectual property owned by Plaintiff or conspired to disparage plaintiff's Registered Copyright and Trademark.

13. I further state that, even aforesaid sales of alleged items were sold by me as a retailer obtaining goods from a legitimate whole seller with proper invoice and consignment and sold like any other regular e-commerce website, without even concerned or investigating Copyright or Trademark issue. I will provide all other defenses in detail in my answer once the Honorable Court grant my request.

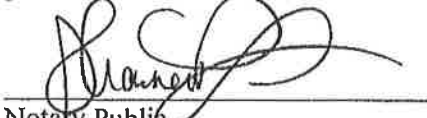
14. I hope, I have sufficiently and adequately provided all the facts and circumstances demonstrating that the default is not willful, and I have meritorious defenses with likelihood of success.

WHEREFORE, I request that the present Letter motion by defendant to extend the time to file answer to the complaint be granted in all respects.

Dated: March 28, 2022
Virginia


Jonathan M. Anand

Sworn to before me this
28th day of March 2022


Notary Public

